

See pd.

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

# UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

Detroit Division

William Lindsay

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Patricia Fresard

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case: 2:20-cv-12925

Judge: Cox, Sean F.

MJ: Patti, Anthony P.

Filed: 10-21-2020 At 02:20 PM

CMP WILLIAM LINDSAY V PATRICIA FRESARD (SS)

Jury Trial: (check one) ☒ Yes ☐ No

## COMPLAINT FOR A CIVIL CASE

### I. The Parties to This Complaint

#### A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	William Lindsay
Street Address	15700 Middlebury Dr.
City and County	Dearborne , Wayne County
State and Zip Code	Michigan 48120
Telephone Number	313-728-0705
E-mail Address	bornintheusaflagsllc@aol.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

## Defendant No. 1

Name	Patricia Fresard
Job or Title ( <i>if known</i> )	Judge
Street Address	2 Woodward Avenue, Room 1707
City and County	Detroit, Wayne County
State and Zip Code	Michigan 48226
Telephone Number	(313) 224-5173
E-mail Address ( <i>if known</i> )	frances.yturri@3rdcc.org

## Defendant No. 2

Name	
Job or Title ( <i>if known</i> )	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address ( <i>if known</i> )	

## Defendant No. 3

Name	
Job or Title ( <i>if known</i> )	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address ( <i>if known</i> )	

## Defendant No. 4

Name	
Job or Title ( <i>if known</i> )	
Street Address	
City and County	
State and Zip Code	
Telephone Number	

E-mail Address *(if known)* \_\_\_\_\_**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title 42 U.S.C. §§ 1981; 1985 (3

**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

## 1. The Plaintiff(s)

## a. If the plaintiff is an individual

The plaintiff, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_.

## b. If the plaintiff is a corporation

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

## 2. The Defendant(s)

## a. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of  
the State of (name) \_\_\_\_\_. Or is a citizen of  
(foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under  
the laws of the State of (name) \_\_\_\_\_, and has its  
principal place of business in the State of (name) \_\_\_\_\_.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

\_\_\_\_\_

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Violation of Individual Rights and Due Process of law

\_\_\_\_\_

### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Seeking actual damages and punitive damages in the amount of One Million Eight Hundred Thousand Dollars (\$1,800,000.00) from the Defendant for the misuse of position to violate the individual rights and Due Process rights of Citizens.

## V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10/20/2020

Signature of Plaintiff

Printed Name of Plaintiff

William Lindsay

### B. For Attorneys

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
DETROIT DIVISION**

<b>WILLIAM LINDSAY,</b>	§	<b>CASE NO. _____</b>
	§	
<b>Plaintiff,</b>	§	
	§	
<b>vs.</b>	§	<b><u>COMPLAINT</u></b>
	§	
<b>PATRICIA FRESARD,</b>	§	<b>Title 42 U.S.C. §§ 1981; 1985 (3);</b>
<b>in her Individual Capacity Only;</b>	§	
	§	
<b>Defendants.</b>	§	<b>COURT TRIAL REQUESTED</b>

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NOW COMES William Lindsay, Plaintiff, to file this Complaint and would show the Court the following, to wit:

**I.**

**JURISDICTION**

This action is brought pursuant to Title 42 U.S.C. § 1981, §1983, and §1985 (3); Title 28 U.S.C. § 1343, State Law Claims under Title 28 U.S.C. § 1367.

**II.**

**PARTIES**

Plaintiff in this case William Lindsay, who is a resident of Wayne County, Michigan whose address is 15700 Middlebury Drive, Dearborn, Michigan 48120.

Defendant Patricia Fresard, 3<sup>rd</sup> Circuit Court CAYMC, 2 Woodward Avenue Rm 1707 Detroit, Michigan 48826, (313) 224-5173.

### III.

#### **STATEMENT OF THE FACTS**

Without any lawful delegation of authority established by a valid “Statement of Officer” and “Sworn Oath of Office” as required by law, the Defendant illegally presided over a case in which the Plaintiff was the moving party. Upon final ruling of the case, Defendant presiding over Plaintiff, was then further deprived of the inherent right to obtain clear and complete copies of transcripts of records, in which the Plaintiff had participated. Because personal capacity suits against state officials are actions against the individual and not the state, state officials sued for damages in their personal capacities are “persons” under section 1983 and therefore subject to suit Gutierrez-Rodriguez v. Cartagena, 882 F.2d 553,567 n. 10 (1st Cir. 1989).

### IV.

#### **COMPLAINT**

In order to maintain an action under 1983, it is not necessary to allege or prove that the defendant intended to deprive plaintiff of his constitutional rights, or that they acted willfully, purposely, or in pursuance of a conspiracy... it is sufficient to establish that the deprivation of constitutional rights or privileges was the natural consequences of defendant acting under the color of law, irrespective of whether such consequence was intended. Ethridge v. Rhodes 268 F.Supp. 83; Whirl v. Kern 407 F.2d 781. The Statement of the Facts are incorporated into each of the following Counts.

#### **Count 1**

Denial of Plaintiff's rights occurred in a hearing held September 30, 2016, in Lindsay v Allstate Insurance, Case no 16-002640. Mr. Lindsay's case was called on the docket. Mr. Lindsay

proceeded to acknowledge Judge Patricia Fresard. being that Mr. Lindsay was the moving party in the case. Mr. Lindsay was prepared to present his case. To the contrary, Mr. Lindsay's statutory right to present his case was aggressively ignored however, the opposing counsel in the case, Brande Smith was acknowledged by Judge Patricia Fresard. Patricia Fresard instructed Attorney Smith to present the case and in doing so to "go easy on Mr. Lindsay" as he is a pro se litigant. In addition, Patricia Fresard further instructed Attorney Smith to provide Mr. Lindsay with information on "how this works". As the opposing counsel started to speak, Mr. Lindsay simply remained silent as Patricia Fresard clearly showed an unfair or prejudicial distinction between different classification of attorney verse pro se litigant, Mr. Lindsay was beneath her acknowledgement or recognition. At a point Mr. Lindsay began to speak, he was interrupted by Patricia Fresard and openly reprimanded therefore Mr. Lindsay remained silent and said nothing further. After being reprimanded Mr. Lindsay asked if he could appeal her decision and she responded with disdain "yes". Mr. Lindsay left the courtroom with feelings of dehumanization, embarrassment, and void of legal due process rights.

### **Count 2**

Deprivation of Plaintiff's rights occurred when Plaintiff was deprived of his right to obtain clear and complete copies of transcripts of records of which the Plaintiff had participated. Plaintiff wrote to the court requesting copies of the transcripts for hearing held September 30, 2016 at 4:39 pm on October 26, 2016 to prepare for appeal. Plaintiff's request was not processed until December 2016. Plaintiff picked up the transcript from the court and began to read Plaintiff realized that transcripts had been altered the documents did not capture his actual words or statements. Plaintiff immediately contacted the court reporter's office by phone and made them



aware that there were mistakes, these were not his words. Plaintiff was given an appointment to come in to review the visual and audio. Upon arrival to the appointment, Plaintiff was told that he would have to surrender his cell phone and that he could not go into the room designated to listen and watch the court case proceedings.

### **Count 3**

Deprivation of Plaintiff's right to due process of law also occurred where Plaintiff brought to the Defendant's attention her lack of jurisdiction. Defendant ignored Plaintiff's request and was openly aggravated with Plaintiff. The Defendant did not recuse herself; the Defendant did not make any actionable responses that would preserve the integrity of the Court, nor the legal rights of the Plaintiff, or the judicial position held with impartial legal process.

The Plaintiff claim that the Honorable Patricia Fresard has failed in the filing of her proper Statement of Officer and Oath of Office on record with the appointment to the Circuit Court for the County of Wayne, and therefore, the Court has improperly constituted a private person in his individual capacity and having no lawful delegation of authority to investigate, conduct process or for any other act of any kind. Any rulings issued by Patricia Fresard are false, fraudulent and perjured, ab initio, by definition.

All actions taken in **Lindsay v Allstate Insurance**, Case no 16-002640 are null and void from the filing of this case and is a clear violation of the Plaintiffs' Constitutional rights. This is a clear miscarriage of justice and based upon the past indiscretions of Patricia Fresard, it questions whether the Plaintiff was subjected and subject to bias judicial procedure from the beginning. Fact is the Defendant took office of her duties in 1999 and had yet to establish her commission until January 20, 2017.

A structural error occurs requiring automatic reversal when the judge involved with the decision did not have statutory authority to conduct the proceeding at issue, *Nguyen v. United States*, 539 U.S. 69 also, when there has been a violation of a statutory provision that embodies weighty congressional policy concerning the proper organization of the federal courts, the de facto doctrine does not apply, *Nguyen v. United States*, 539 U.S. 69, 70 (2003).

Structural defects apply to certain constitutional errors that were too fundamental to be harmless in *Sullivan v. Louisiana*, 508 U.S. 275, which includes a judge who is not impartial, *Tumey v. Ohio*, 273 U.S. 510, 47 S.Ct. 437, 71 L.Ed. 749 (1927); *Redman v. State*, 363 Md. 298. Where such an error occurs, the trial court cannot reliably serve its function as a vehicle of guilt or innocence, and may be regarded as fundamentally unfair, *Rose v. Clark*, 478 U.S. 570; *State v. Barone*, 329 Or. 210, 986 P.2d 5 (1999), certiorari denied, 528 U.S. 1086, 120 S.Ct. 813, 145 L.Ed.2d 685.

Where the statute violated is not merely technical, but embodies a strong policy concerning the proper administration of judicial business, the Court has treated the alleged defect as jurisdictional *Glidden v. Zdanok*, 370 U.S. 530.

When a real party of interest has been tried by a legally authorized trier of fact, namely a trial judge that has not taken his or her oath of office, a party has not been adjudged guilty by an authorized trier of fact, and any rulings, orders or verdict is a nullity.

A biased trial judge creates a structural error that must result in automatic dismissal, *Tumey v. Ohio*, *supra*. Biased judges in a case is an error that is forbidden precisely because they taint the verdict.

A defendant must have and be tried by an impartial adjudicator, *Neder v. United States*, 527 U.S.

NOW, let us make the connection between lack of taking an Oath of Office of a judge, prosecutor and/or arresting officers and investigators AND automatic reversal of a case:

- 1.) The lack of taking the Oath of Office directly affects the bias, prejudice and partiality of the office holder as legally determined by court decision of the U.S. Supreme Court and others.
- 2.) Regardless whether an office holder is considered *de facto* officer or not, the lack of taking the Oath of Office is a structural defect, which is not considered harmless error.
- 3.) A structural defect or structural error results from any bias, prejudice or partiality of the office holder according to the U.S. Supreme Court.
- 4.) A structural defect is non-discretionary and results in an automatic reversal, and any rulings, orders or actions by the office holder are void and of no effect.
- 5.) An officer that has not taken a proper Oath of Office is not an impartial or unbiased officer of the law which creates a structural defect which demands immediate and automatic reversal.

#### **Count 4**

The Defendants were only concerned with injustice, and unfairness to be administrated to the Plaintiff through their acts, words and deeds in violation of due process of law and equal protection under the law, which greatly prejudiced the Plaintiff concerning right to exercise his constitutional rights.

#### **Count 5**

Defendant have further utilized her position in the court to manipulate the court procedures in providing misdirection to staff and causing further ostracization of the Plaintiff when seeking

right to appeal. The Defendant used judicial authority to intimidate, demoralize, and dissuade the Plaintiff from filing an appeal on the ruling. Plaintiff was a pro per litigant in the issue. Historically the courts have held the pleadings and briefs of pro se litigants and appellants “to less stringent standards” than those “drafted by lawyers.” Haines v. Kerner, 404 U.S. 519, 520, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972) rather the Defendant used and abused the authority of the court to deprive the Plaintiff of due process.

### **Count 6**

#### **Lack of Jurisdiction and Authority**

Furthermore, the Court in Enloe v. State, 141 Tex.Crim. 602, 150 S.W.2d 1039, 1042 (1941), held that the judge in the case lacked authority to empanel a grand jury by not **subscribing** to the **current** oath of office. The Court in Garza v. State, 249 S.W.2d 212, 212 (Tex.Crim.App.1952) held that acts of the trial judge were invalid where the judge relied on a former oath of office. Brown v. State, 238 S.W.2d 787, 787 (Tex.Crim.App.1950) held that a special judge, until he takes an oath, has no authority to act.

### **Count 7**

#### **Tampering with Governmental Records**

Michigan Penal Code § 750.248:

A person who falsely makes, **alters**, forges, or counterfeits a public record, or a certificate, return, or attestation of a clerk of a court, register of deeds, notary public, township clerk, or any other public officer...

The Defendant was made aware of Plaintiff intention to appeal. When the Plaintiff received transcripts of hearing from September 30, 2016, the transcripts had been altered and did not provide an accurate verbatim of what was said in the court room on the day of hearing. Plaintiff notified the court staff and was given ominous responses, and answers regarding the transcript.

**Count 8**

**IV. Simulated a Legal Process**

Besides not having jurisdiction or authority to preside over ANY case the Defendant caused bogus, erroneous and illegal proceedings, along with other parties involved and has violated and continue to violate Michigan and Federal Criminal Statutes as follows:

In fact, the parties involved have violated Michigan Criminal Statutes as follows:

**Michigan Penal Code § 750.217c :**

A person shall not impersonate, falsely represent himself or herself as, or falsely act as a public officer or public employee and prepare, issue, serve, execute, or otherwise act to further the operation of any legal process or unauthorized process that affects or purports to affect persons or property.

**CONCLUSION**

Therefore, due to the severe harassment, intimidation and illegal overt acts against the Plaintiff, he has endured and suffered great harm in legal costs, in expenditure of vast amounts of his professional time, in much less income, loss of business opportunity, loss of reputation, loss of liberty and property, loss of due process of law and equal protection of the law outside of a legitimate government interest, which was/is totally unwarranted.

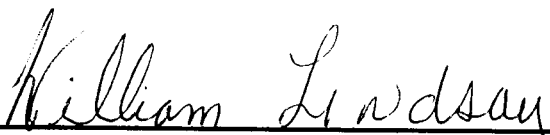
### **DAMAGES**

The Plaintiff asks this Court for a judgment in his favor for actual damages of One Million Eight Hundred Thousand Dollars (\$1,800,000.00) from the Defendant. The Plaintiff also asks for One Million Eight Hundred Thousand Dollars (\$1,800,000.00) in punitive damages from the Defendant. The Plaintiff does seek damages solely from individual funds of the Defendants. This is not a request for money damages from the State Treasury or in the capacity as a judicial officer. “We hold that state officials, sued in their individual capacities are “persons” within the meaning of § 1983. The Eleventh Amendment does not bar such suits nor are state officers absolutely immune from personal liability under § 1983 solely virtue of the “official” nature of their acts.” Hafer v. Melo, 502 U.S. 21 (1991).

Additionally, the overt wrongful acts or counts in the complaint are all in the context of bad faith and harassment, outside of any state interests. The state cannot authorize its officers to violate federal law (due process and equal protection rights), thus such officers are stripped of their official or representative capacity or character. Duke Energy Trading and Marketing, L.L.C. v. Davis, 267 F. 3d 1042 (9<sup>th</sup> Cir. 2001). Federal law rights were violated by the Defendant in this instant case, leaving them open for a § 1983 lawsuit. The Federal Court must intervene because the state proceedings did not provide a meaningful opportunity to adjudicate constitutional claims. Middlesex Ethics Comm. v. Garden State Bar Assn., 457 U.S. 423 (1982). Under Ex Parte Young, 209 U.S. 123 (1908) and its progeny, a suit challenging the legality under federal law of a state official’s action in enforcing state law is not a suit against the state, and hence is not subject to state or federal exhaustion requirements. *Id.* At 159-160. Duke Energy Trading and Marketing v. Davis, *supra*. Therefore, the Defendants stand as individuals-only before this court.

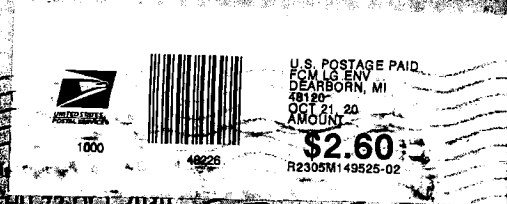
Due to the fact that the Defendants may be unable or unwilling to pay for said damages in cash, Plaintiff demands that any and all personal and real assets be the subject matter for damages, which would include, but is not limited to, any and all real property, stocks, bonds, vehicles, certificates of deposits, money market accounts, equipment, furniture, jewelry, boats, sporting equipment, etc. THEREFORE, the Defendants' real and personal properties should be subject to a Notice of Lis Pendens prohibiting the sale or disposition of any of said property pending termination of this cause of action.

Respectfully submitted,

  
\_\_\_\_\_  
William Lindsay, *pro se*  
15700 Middlebury Dr.  
Dearborn, MI 48120  
(313) 728-0705



2m Lindsay  
5 Middlebury Dr.  
xorn, Mich 48120



U.S. District Court  
231 W. Lafayette Blvd  
Detroit Mich  
48226

New  
and

Attention: Court Clerk

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## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS William Lindsay

DEFENDANTS Patricia Fresard

(b) County of Residence of First Listed Plaintiff Wayne County  
(EXCEPT IN U.S. PLAINTIFF CASES)County of Residence of First Listed Defendant Wayne County  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)  
Pro se

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
Title 42 U.S.C. § 1981, § 1983, and § 1985 (3); Title 28 U.S.C. § 1343, State Law Claims under Title 28 U.S.C. § 136Brief description of cause:  
Violation of individual Rights

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.DEMAND \$  
1,800,000.00CHECK YES only if demanded in complaint:  
JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE Patricia Fresard

DOCKET NUMBER 16-002640

DATE 10-20-20

SIGNATURE OF ATTORNEY OF RECORD

William Lindsay

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE